PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q80123

Michiyuki SUZUKI

Appln. No.: not yet assigned

Confirmation No.: not yet assigned

Group Art Unit: not yet assigned

Filed: February 26, 2004

Examiner: not yet assigned

For:

THROTTLE POSITION DETECTING APPARATUS

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §§ 1.97 and 1.98

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents, other than any U.S. patents and patent publications, is submitted herewith.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

INFORMATION DISCLOSURE STATEMENT Attorney Docket No. Q80123

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant submits the following explanations:

An English language abstract, submitted herewith, constitutes a concise statement of relevance for JP 4-254278.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,

Registration No. 23,063

SUGHRUE MION, PLLC

Telephone: (202) 293-7060 Facsimile: (202) 293-7860

washington office 23373 customer number

Date: February 26, 2004

Complete if Known

Not yet assigned

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| ATEMENT BY APPLICANT | | | Filing Date | February 26, 2004 | |
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| | | | First Named Inventor | Michiyuki SUZUKI | |
| (use as many sheets as necessary) | | Art Unit | not yet assigned | | |
| , | | | Examiner Name | not yet assigned | |
| 1 | of | 1 | Attorney Docket Number | Q80123 | |

Application Number

Confirmation Number

| U.S. PATENT DOCUMENTS | | | | | | |
|-----------------------|--------------------------|------------|---|--------------------------------|---|--|
| | | Document 1 | Number | | | |
| Examiner Initials* | Cite No. ¹ | Number | Kind Code ² (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | |
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| FOREIGN PATENT DOCUMENTS | | | | | | | |
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| Examiner Cite | Foreign Patent Document | | | Publication Date | Name of Patentee or | True melection 6 | |
| Initials* | No.1 | Country Code ³ | Number ⁴ | Kind Code ⁵ (if known) | MM-DD-YYYY | Applicant of Cited Document | Translation ⁶ |
| | | JP | 4-254278 | A | 09-09-1992 | YAMAHA MOTOR CO LTD | Abstract |
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| NON PATENT LITERATURE DOCUMENTS | | | | |
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| Examiner Initials* | Cite No.1 | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published. | Translation ⁶ | |
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^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or follow the hyperlink from the title of the document to the intranet. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to indicate here if English language Translation is attached.